

WEDNESDAY, JANUARY 31, 1990

FIFTY-NINTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. John Gilbert, Rocky Glade Cumberland Presbyterian Church, Eagleville, Tennessee.

Representative Fred Hobbs led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 92

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gara, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 92.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Yelton was excused due to illness.

REPORTS FROM STANDING COMMITTEES

REPORT OF COMMITTEE ON CALENDAR AND RULES
January 30, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular

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Calendar for Thursday, February 1, 1990: House Bill(s) No(s). 1590, 1591 and 1594.

PHILLIPS, Chairman.

**GOVERNMENT OPERATIONS COMMITTEE
January 30, 1990**

MR. SPEAKER: Your Government Operations Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1565 (with amendment), 1618, 1621, 1622, 1664, 1665, 1666, 1668, 1669, 1671, 1673, 1674 and 1676.

KING, Chairman.

Under the rules, House Bill(s) No(s). 1565 (with amendment), 1618, 1621, 1622, 1664, 1665, 1666, 1668, 1669, 1671, 1673, 1674 and 1676 was/were transmitted to the Calendar and Rules Committee.

**JUDICIARY COMMITTEE
January 30, 1990**

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1867.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 1867 was/were transmitted to the Calendar and Rules Committee.

**STATE AND LOCAL GOVERNMENT
January 30, 1990**

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1247.

LOVE, Chairman.

Under the rules, House Bill(s) No(s). 1247; was/were transmitted to the Calendar and Rules Committee.

**TRANSPORTATION COMMITTEE
January 30, 1990**

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for adoption: House Joint Resolution(s) No(s). 514 and 532.

ROBB ROBINSON, Chairman.

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Under the rules, House Joint Resolution(s) No(s). 514 and 532; was/were transmitted to the Calendar and Rules Committee.

MESSAGE FROM THE SENATE

January 30, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 171, 432, 434 and 435; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0171 -- General Assembly, Studies -- Continues study of problems of homeless.**

Senate Joint Resolution No. 0432 -- Memorials, Personal Occasion -- Honors Mr. and Mrs. A. Z. Kelley on 50th anniversary.

Senate Joint Resolution No. 0434 -- Memorials, Retirement -- Honors Dr. Robert E. Corlew on retirement.

Senate Joint Resolution No. 0435 -- Memorials, Personal Achievement -- Commends Kipling B. Dixon on attaining Eagle Scout award.

MESSAGE FROM THE SENATE

January 30, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1575, 1603, 1608, 1618, 1623, 1637, 1669, 1690, 1694, 1695, 1700, 1702, 1707, 1713 and 1716; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1575 -- District Attorneys -- Grants credit for service on board of paroles in determining compensation of criminal investigators and assistant district attorneys general. Amends TCA 8-7-201.

***Senate Bill No. 1603 -- Aged Persons -- Permits certain persons access to registry of persons who abuse elderly. Amends TCA 68-11-1003.**

***Senate Bill No. 1608 -- Motor Vehicles -- Removes odometer regulations superseded by federal law; designates department of safety as agency to enforce overweight vehicle laws; permits enforcement officer to go armed. Amends TCA 55-3-118, 55-5-114, 68-4-808.**

*Senate Bill No. 1618 -- Taxes, Inheritance Gift -- Authorizes the commissioner of revenue to waive lien for taxes due against estate for certain purposes. Amends TCA 67-8-417.

*Senate Bill No. 1623 -- Employees, Employers -- Revises certain requirements relative to aliens employed in state.

*Senate Bill No. 1637 -- Game and Fish Laws -- Requires commercial fisherman to supply own identifying tags; establishes criteria for such tags. Amends TCA 70-4-119.

*Senate Bill No. 1669 -- Judicial Officers -- Authorizes substitution of attendees to state court clerks' conference. Amends TCA 18-1-504.

*Senate Bill No. 1690 -- Sunset Laws -- Extends termination date of board for licensing hearing aid dispensers. Amends TCA, Title 4, Ch. 29; Title 63, Chs. 15, 17.

*Senate Bill No. 1694 -- Sunset Laws -- Extends termination date of anatomical board of commissioners. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 4.

*Senate Bill No. 1695 -- Sunset Laws -- Extends termination date of archaeological advisory council. Amends TCA, Title 4, Ch. 29; Title 11, Ch. 6.

*Senate Bill No. 1700 -- Sunset Laws -- Extends termination date of the advisory committee for crippled children's service. Amends TCA, Title 4, Chs. 3, 4, 29; Title 68, Chs. 1, 12; Title 71, Ch. 1.

*Senate Bill No. 1702 -- Sunset Laws -- Extends termination date of conservation commission. Amends TCA, Title 4, Ch. 29; Title 11, Chs. 1, 2, 14, 21; Title 60, Ch. 1.

*Senate Bill No. 1707 -- Sunset Laws -- Extends termination date of the hemophilia advisory committee. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 41.

Senate Bill No. 1713 -- Sunset Laws -- Terminates laboratory advisory committee. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 29.

Senate Bill No. 1716 -- Sunset Laws -- Extends termination date of the board of medical examiners' committee on physician assistants. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 19; Title 71, Ch. 5.

REPORT OF CHIEF ENGROSSING CLERK
January 30, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint

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Resolution(s) No(s). 86, 534, 539, 557 and 559; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS
January 30, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1642; also, House Joint Resolution(s) No(s). 31, 32, 51, 82, 87, 92, 147, 184, 230, 390, 528, 529, 530, 531 and 570; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED
January 30, 1990

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 393, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 412, 418, 419 and 424.

SIGNED
January 30, 1990

The Speaker announced that he had signed the following: House Bill(s) No(s). 1642; also, House Joint Resolution(s) No(s). 31, 32, 51, 82, 87, 92, 147, 184, 230, 390, 528, 529, 530, 531 and 570.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REGULAR CALENDAR

***House Bill No. 0930 -- Election Laws --** Requires placement in certain offices of state government dispensers containing voter registration by mail forms. Amends TCA, Title 2, Ch. 2.

Further consideration of House Bill No. 930, previously considered on May 1, 1989, and January 9, 1990, at which time the bill was reset to the Calendar for January 31, 1990.

Rep. Dixon moved that House Bill No. 930 be reset to the Calendar for Wednesday, February 14, 1990, which motion prevailed.

CONSENT CALENDAR

House Joint Resolution No. 0563 -- Memorials, Public Service -- Recognizes Kiwanis Clubs of America on 75th anniversary.

House Joint Resolution No. 0564 -- Memorials, Sports -- Honors Gallatin High School football team, 1989 TSSAA Class AAA state champions.

House Joint Resolution No. 0565 -- Memorials, Congratulations -- Congratulates Nissan Stamping Department for winning "Die Change Challenge".

House Joint Resolution No. 0566 -- Memorials, Public Service -- Commends Tennessee Medical Association on Medical Home Program.

House Bill No. 1937 -- Roane County -- Prohibits construction or operation of commercial medical waste incinerator.

House Bill No. 1979 -- Trousdale County -- Sets litigation tax in accordance with general law. Repeals Chapter 137, Private Acts of 1963, as amended.

House Bill No. 2013 -- Williamson County -- Staggers terms of school board members. Amends Chapter 323, Private Acts of 1972, as amended.

Senate Joint Resolution No. 0428 -- Memorials, Public Service -- Commends and supports development of Tri Science Consortium of Tennessee.

Senate Joint Resolution No. 0429 -- Memorials, Condolence -- Honors memory of Jesse Holder.

Senate Joint Resolution No. 0430 -- Naming and Designating -- Names Wanda Brown Scott, Associate Poet Laureate of Tennessee.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good,

Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Phillips, House Bill No. 1785 was recalled from the Transportation Committee.

On motion of Rep. Phillips, House Bill No. 1785 was withdrawn from the House.

RULES SUSPENDED

Rep. Henry (Putnam) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 574 out of order, which motion prevailed.

House Joint Resolution No. 0574 -- Memorials, Sports -- Congratulates Dr. Ken Martin for his extraordinary basketball prowess. by *Henry Dwight.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Henry (Putnam), the resolution was adopted by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh,

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Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1591: Rep(s). Turner (Hamilton) added as prime sponsor(s).

House Bill No. 1818: Rep(s). Cain added as prime sponsor(s).

House Bill No. 1850: Rep(s). Collier added as prime sponsor(s).

House Bill No. 1856: Rep(s). Cain added as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Gunnels was removed as sponsor of **House Bill No. 1580**.

On motion, Rep. Gunnels was removed as sponsor of **House Bill No. 1581**.

On motion, Rep. Crain was removed as sponsor of **House Bill No. 1732**.

On motion, Rep. Holt was removed as sponsor of **House Bill No. 1815**.

On motion, Rep. Gaia was removed as sponsor of **House Bill No. 2075**.

ANNOUNCEMENTS

JOINT STUDY COMMITTEE REPORT FILED

The Special Joint Committee to Study Lien Laws, pursuant to Senate Joint Resolution No. 198 of 1989, has finished its work and filed its final report with the Clerk's Office.

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STUDY COMMITTEE REPORT FILED

The Special Study Committee on Youth Employment, created by House Resolution No. 73 of 1989, has completed its work and filed its final report and recommendations with the Clerk's Office.

COMMUNICATIONS

January 29, 1990

Chief Clerk's Office
House of Representatives
Tennessee State Senate
Capitol
Nashville, TN 37219

RE: Proposed Amendments to Tennessee Rules of Appellate Procedure

Dear Sir:

Attached hereto please find a certified copy of an order signed by the Honorable Frank F. Drowota, III, Chief Justice of the Tennessee Supreme Court, dated and filed January 26, 1990, in the office of A. B. Neil, Jr., Clerk of the Supreme Court in Nashville, Tennessee.

Pursuant to Tennessee Code Annotated 16-3-402, et seq., on behalf of the Chief Justice of the Supreme Court of Tennessee, I hereby file with your office said order.

If you have any questions, please advise.

With kindest personal regards, I remain

Very sincerely yours,
/s/CLETUS W. McWILLIAMS
Executive Secretary to the
Tennessee Supreme Court

January 29, 1990

Chief Clerk's Office
House of Representatives
Tennessee State Senate
Capitol
Nashville, TN 37219

RE: Proposed Amendments to Tennessee Rules of Civil Procedure

WEDNESDAY, JANUARY 31, 1990 -- FIFTY-NINTH LEGISLATIVE DAY

Dear Sir:

Attached hereto please find a certified copy of an order signed by the Honorable Frank F. Drowota, III, Chief Justice of the Tennessee Supreme Court, dated and filed January 26, 1990, in the office of A. B. Neil, Jr., Clerk of the Supreme Court in Nashville, Tennessee.

Pursuant to Tennessee Code Annotated 16-3-402, et seq., on behalf of the Chief Justice of the Supreme Court of Tennessee, I hereby file with your office said order.

If you have any questions, please advise.

With kindest personal regards, I remain

Very sincerely yours,
/s/ CLETUS W. McWILLIAMS
Executive Secretary to the
Tennessee Supreme Court

January 29, 1990

Chief Clerk's Office
House of Representatives
Tennessee State Senate
Capitol
Nashville, TN 37219

RE: Proposed Tennessee Uniform Child Support Guideline Rules

Dear Sir:

Attached hereto please find a certified copy of an order signed by the Honorable Frank F. Drowota, III, Chief Justice of the Tennessee Supreme Court, dated and filed January 26, 1990, in the office of A. B. Neil, Jr., Clerk of the Supreme Court in Nashville, Tennessee.

Pursuant to Tennessee Code Annotated 16-3-402, et seq., on behalf of the Chief Justice of the Supreme Court of Tennessee, I hereby file with your office said order.

If you have any questions, please advise.

With kindest personal regards, I remain

Very sincerely yours,
/s/CLETUS W. McWILLIAMS
Executive Secretary to the
Tennessee Supreme Court

JOURNAL CORRECTIONS

House Bill No. 1751, was incorrectly referred to committee on pg. 2668 and should instead be referred to the General Welfare Committee.

House Bill No. 1929, was incorrectly referred to committee on pg. 2707 and should instead be referred to the General Welfare Committee.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0567 -- Memorials, Retirement -- Honors Colonel Virgil Bruce Isham upon retirement from Tennessee Army National Guard. by *Henry Jim.

The Speaker referred House Joint Resolution No. 567 to the Calendar and Rules Committee.

*House Joint Resolution No. 0568 -- General Assembly, Studies -- Creates joint committee to study fee discounts for senior citizens. by *Whitson.

The Speaker referred House Joint Resolution No. 568 to the Conservation and Environment Committee.

House Joint Resolution No. 0569 -- Memorials, Personal Occasion -- Honors 100th birthday of Willie Harrison Reagan. by *Wix, *Winningham.

The Speaker referred House Joint Resolution No. 569 to the Calendar and Rules Committee.

House Joint Resolution No. 0571 -- Memorials, Sports -- Honors Westview High School boys basketball team on winning the Martin Lions Club Christmas tournament. by *Herron, *Pinion.

The Speaker referred House Joint Resolution No. 571 to the Calendar and Rules Committee.

House Joint Resolution No. 0572 -- Memorials, Congratulations -- Congratulates Nissan Motor Manufacturing Corporation USA, Smyrna for receiving Excellence in Education award. by *Hobbs, *Bragg.

The Speaker referred House Joint Resolution No. 572 to the Calendar and Rules Committee.

House Joint Resolution No. 0573 -- Memorials, Public Service -- Recognizes U.P.S. for their contribution to TSU to be used for project on E.D. Nixon. by *King.

The Speaker referred House Joint Resolution No. 573 to the Calendar and Rules Committee.

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***House Joint Resolution No. 0575** -- General Assembly, Statement of Intent or Position -- Requests relief to school systems from testing requirements in Commercial Driver License Act of 1986. by *Winningham.

The Speaker referred House Joint Resolution No. 575 to the Transportation Committee.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Senate Joint Resolution No. 0432 -- Memorials, Personal Occasion -- Honors Mr. and Mrs. A. Z. Kelley on 50th anniversary.

The Speaker referred Senate Joint Resolution No. 432 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0434 -- Memorials, Retirement -- Honors Dr. Robert E. Corlew on retirement.

The Speaker referred Senate Joint Resolution No. 434 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0435 -- Memorials, Personal Achievement -- Commands Kipling B. Dixon on attaining Eagle Scout award.

The Speaker referred Senate Joint Resolution No. 435 to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

***Senate Joint Resolution No. 0171** -- General Assembly, Studies -- Continues study of problems of homeless.

The Speaker referred Senate Joint Resolution No. 171 to the General Welfare Committee.

INTRODUCTION OF BILLS

House Bill No. 2106 -- Public Funds and Financing -- Revises various provisions on public finances and investments. Amends TCA 8-5-110, 105, 49-50-1305. by *Wheeler.

Passed first consideration.

House Bill No. 2107 -- Sentencing -- Prohibits imposition of death sentence for mentally retarded person. Amends TCA, Title 39, Ch. 13, Pt. 2. by *Jackson, *Crain, Holcomb, Gunnels.

Passed first consideration.

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*House Bill No. 2108 -- Vital Statistics -- Imposes fee on copies of birth certificates for certain purposes. Amends TCA, Title 68, Ch. 3, Pt. 3. by *Jackson.

Passed first consideration.

*House Bill No. 2109 -- Alcoholic Beverages -- Creates offense of consuming alcoholic beverages, beer or wine while driving; establishes penalties. Amends TCA, Title 55, Ch. 10, Pt. 4. by *Jackson.

Passed first consideration.

House Bill No. 2110 -- Judicial Officers -- Authorizes substitution of attendees to state court clerks' conference. Amends TCA 18-1-504. by *Jackson.

Passed first consideration.

House Bill No. 2111 -- Taxes, Real Property -- Raises income and property assessment levels for eligibility for property tax relief for elderly and disabled; appropriates funds. Amends TCA, Title 67, Ch. 5. by *Jackson.

Passed first consideration.

*House Bill No. 2112 -- Election Laws -- Requires political parties to hold primary elections to nominate candidates for office of supreme court justice. Amends TCA, Title 2. by *Shirley.

Passed first consideration.

House Bill No. 2113 -- District Attorneys -- Removes certain personnel and support limitation from the district attorney general of 31st judicial district. by *Rhinehart.

Passed first consideration.

House Bill No. 2114 -- Witnesses -- Authorizes court testimony of convicted material witnesses. Amends TCA, Title 40, Ch. 17. by *Davis J K, *Purcell.

Passed first consideration.

*House Bill No. 2115 -- Police -- Allows POST to recover police pay supplements based on fraudulent applications. Amends TCA, Title 38, Ch. 8, Pt. 1. by *Wix, *Stamps.

Passed first consideration.

*House Bill No. 2116 -- Highways, Roads and Bridges -- Exempts certain counties from prohibition against governmental ownership or operation of hot mix asphalt plant. Amends TCA 12-8-101. by *Pinion.

Passed first consideration.

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***House Bill No. 2117 -- University of Tennessee --** Revises term of UT board of trustees members. Amends TCA 49-9-202, 203. by *Pinion.

Passed first consideration.

House Bill No. 2118 -- McKenzie -- Rewrites city charter. Repeals Chapter 317, Private Acts of 1923, as amended. by *Herron, *Ridgeway.

Passed first consideration.

House Bill No. 2119 -- Health -- Creates within legislative branch black health care commission. Amends TCA, Titles 3, 33, 68, 71. by *Armstrong, *Dixon, *Pruitt, *King, *Jones U.

Passed first consideration.

House Bill No. 2120 -- Public Works Projects -- Creates council of public works oversight. by *Armstrong, *Jones R, *Pruitt, *Dixon, *King, *Jones U.

Passed first consideration.

House Bill No. 2121 -- Human Rights -- Revises provisions of housing discrimination law to conform with Federal Fair Housing Amendments of 1988. Amends TCA, Title 4. by *Robinson C B, *Dixon, *Pruitt, *Jones R, *Love, *King, *Armstrong, *DeBerry, *Turner L, *Jones U, Turner B.

Passed first consideration.

House Bill No. 2122 -- Appropriations -- Appropriates funds to Chattanooga Area Regional Museum. by *Robinson C B, *Starnes, *Wood, Dixon, Turner B, Copeland, McAfee.

Passed first consideration.

House Bill No. 2123 -- Human Rights -- Prohibits certain discriminatory practices regarding certain handicapped persons; authorizes executive director to issue certain administrative orders. Amends TCA, Title 4. by *Robinson C B, *Dixon, *Pruitt, *Jones R, *Love, *King, *Armstrong, *DeBerry, *Turner L, *Jones U.

Passed first consideration.

House Bill No. 2124 -- Animals -- Enacts "Tennessee Apiary Act of 1990". Amends TCA, Title 44, Ch. 15, Pt. 1. by *Gunnels, *Henry Jim.

Passed first consideration.

House Bill No. 2125 -- Sunset Laws -- Extends termination date of commission on children and youth. Amends TCA, Title 4, Ch. 29;

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Title 37, Chs. 1, 3. by *King.

Passed first consideration.

House Bill No. 2126 -- Election Laws -- Revises time period for appeal of rejection of voter registration. Amends TCA, Titles 2, 55. by *King.

Passed first consideration.

House Bill No. 2127 -- Tennessee Valley Authority -- Restricts TVA in lieu of tax payments to electrical power service areas. Amends TCA, Title 67, Ch. 9. by *Rhinehart.

Passed first consideration.

House Bill No. 2128 -- Public Funds and Financing -- Redistributes Tennessee revenue sharing funds designated as impact funds if no impacted areas are designated. Amends TCA 67-9-101, 102. by *Rhinehart.

Passed first consideration.

*House Bill No. 2129 -- Historical Sites -- Revises law on discovery, excavation, and disposition of certain remains. Amends TCA, Title 11, Ch. 6. by *Odom.

Passed first consideration.

*House Bill No. 2130 -- Drugs -- Makes amphetamine and methylphenidate Schedule 1 controlled substances. Amends TCA 39-17-406, 408. by *Odom.

Passed first consideration.

House Bill No. 2131 -- Smoking -- Establishes state policy on smoking. Amends TCA, Titles 4, 8, 49. by *Rhinehart, *Davidson.

Passed first consideration.

*House Bill No. 2132 -- Real Estate Agents and Brokers -- Clarifies liability of real estate recovery account; changes procedures and fees for temporary retirement of licenses. Amends TCA 62-13-208, 62-13-310, 312, 314, 318. by *King.

Passed first consideration.

*House Bill No. 2133 -- Unemployment Compensation -- Authorizes commissioner to establish unemployment insurance self employment program under certain circumstances. Amends TCA, Titles 4, 50, 71. by *King, *Dixon, *Turner L.

Passed first consideration.

House Bill No. 2134 -- Criminal Offenses -- Makes it a felony to destroy or interfere with utility lines, fixtures or appliances. Amends TCA, Title 39, Ch. 14, Pt. 4. by *Purcell, *Davis Ray, *Wheeler, *Naifeh, *Robinson Robb, *Kisber, *Holt, *Stallings, *Crain, *Webb, *Bivens, Bell, Anderson, Severance, Haun, Byrd, Henry Jim, Holcomb, Chiles, Scruggs, Huskey, Moody, Davis J K, Hillis, Davis R E, Turner C, Turner B, Good, Burnett, Curlee.

Passed first consideration.

House Bill No. 2135 -- Hospitals and Health Care Facilities -- Revises procedure and expands scope of protection available to mental health professionals under duty to communicate violent behavior. Amends TCA 33-10-301, 302. by *Holcomb.

Passed first consideration.

House Bill No. 2136 -- Sunset Laws -- Extends termination date of health facilities commission. Amends TCA, Title 4, Ch. 29, Pt. 2. by *Starnes.

Passed first consideration.

***House Bill No. 2137 -- Parks, Natural Areas Preservation --** Establishes Natural Resources Land and Outdoor Recreation Area Fund Act of 1990. Amends TCA, Titles 11, 55, 67. by *Kernell.

Passed first consideration.

House Bill No. 2138 -- Water Pollution -- Excludes certain restoration of swamps from definition of pollution under water quality laws. Amends TCA, Title 69, Ch. 3. by *Holt, *Stallings, *Kisber, *Sipes, *Collier, *DePriest, *Ridgeway, *Naifeh, *Crain, *McDaniel, *Davis Ray.

Passed first consideration.

House Bill No. 2139 -- Roane County -- Prohibits medical waste incinerators. by *Henry Jim.

Passed first consideration.

House Bill No. 2140 -- Education -- Allows payroll deductions of dues for professional education associations at state special schools. Amends TCA 8-23-204. by *Kisber, *Davidson, *Turner L, *Dixon, *Winningham.

Passed first consideration.

***House Bill No. 2141 -- Education --** Creates professional employee relations commission. Amends TCA, Title 49, Ch. 5, Pt. 6. by *King, *Turner L.

Passed first consideration.

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***House Bill No. 2142 -- Teachers --** Allows year of probationary service to be included in consideration for tenure. Amends TCA 49-5-5606. by *Starnes, *Davidson, *Rhinehart, *Whitson.

Passed first consideration.

***House Bill No. 2143 -- Pensions and Retirement Benefits --** Authorizes prior service credit in TCRS for certain persons. Amends TCA, Title 8, Ch. 35, Pt. 2. by *Winningham.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1575 -- District Attorneys -- Grants credit for service on board of paroles in determining compensation of criminal investigators and assistant district attorneys general. Amends TCA 8-7-201.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1502.

***Senate Bill No. 1603 -- Aged Persons --** Permits certain persons access to registry of persons who abuse elderly. Amends TCA 68-11-1003.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1591.

***Senate Bill No. 1608 -- Motor Vehicles --** Removes odometer regulations superseded by federal law; designates department of safety as agency to enforce overweight vehicle laws; permits enforcement officer to go armed. Amends TCA 55-3-118, 55-5-114, 67-4-808.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1594.

***Senate Bill No. 1618 -- Taxes, Inheritance Gift --** Authorizes the commissioner of revenue to waive lien for taxes due against estate for certain purposes. Amends TCA 67-8-417.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2004.

***Senate Bill No. 1623 -- Employees, Employers --** Revises certain requirements relative to aliens employed in state.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1646.

***Senate Bill No. 1637 -- Game and Fish Laws --** Requires commercial fisherman to supply own identifying tags; establishes criteria for such tags. Amends TCA 70-4-119.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 1903.

***Senate Bill No. 1669 -- Judicial Officers --** Authorizes substitution of attendees to state court clerks' conference. Amends TCA 18-1-504.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2110.

***Senate Bill No. 1690 -- Sunset Laws --** Extends termination date of board for licensing hearing aid dispensers. Amends TCA, Title 4, Ch. 29; Title 63, Chs. 15, 17.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1671.

***Senate Bill No. 1694 -- Sunset Laws --** Extend termination date of anatomical board of commissioners. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 4.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1673.

***Senate Bill No. 1695 -- Sunset Laws --** Extends termination date of archaeological advisory council. Amends TCA, Title 4, Ch. 29; Title 11, Ch. 6.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1674.

***Senate Bill No. 1700 -- Sunset Laws --** Extends termination date of the advisory committee for crippled children's service. Amends TCA, Title 4, Chs. 3, 4, 29; Title 68, Chs. 1, 12; Title 71, Ch. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1669.

***Senate Bill No. 1702 -- Sunset Laws --** Extends termination date of conservation commission. Amends TCA, Title 4, Ch. 29; Title 11, Chs. 1, 2, 14, 21; Title 60, Ch. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1668.

***Senate Bill No. 1707 -- Sunset Laws --** Extends termination date of the hemophilia advisory committee. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 41.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1664.

Senate Bill No. 1713 -- Sunset Laws -- Terminates laboratory advisory committee. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 29.

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Held on the Clerk's desk pending third consideration of companion *House Bill No. 1621.

Senate Bill No. 1716 -- Sunset Laws -- Extends termination date of the board of medical examiners' committee on physician assistants. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 19; Title 71, Ch. 5.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1618.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2042 -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 2043 -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 2044 -- Correction, Dept. of -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 2045 -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 2046 -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 2047 -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 2048 -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 2049 -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 2050 -- Laundries -- Passed second consideration and referred to the Commerce Committee.

***House Bill No. 2051** -- Pensions and Retirement Benefits -- Passed second consideration and referred to the Labor and Consumer Affairs Committee.

House Bill No. 2052 -- Highway Signs -- Passed second consideration and referred to the Transportation Committee.

***House Bill No. 2053** -- Physicians and Surgeons -- Passed second consideration and referred to the Education Committee.

***House Bill No. 2054** -- Taxes, Inheritance Gift -- Passed second consideration and referred to the Judiciary Committee.

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House Bill No. 2055 -- Liens -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2056 -- Motor Vehicles -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 2057 -- Lewis County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2058 -- Fund Raising -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2059 -- Financial Disclosure -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2060 -- Consumer Protection -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 2061 -- Consumer Protection -- Passed second consideration and referred to the Labor and Consumer Affairs Committee.

House Bill No. 2062 -- Water Pollution -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 2063 -- Solid Waste Disposal -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 2064 -- Water Pollution -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 2065 -- Air Pollution -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 2066 -- Ethics -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2067 -- State Officials -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2068 -- Workers' Compensation -- Passed second consideration and referred to the Labor and Consumer Affairs Committee.

House Bill No. 2069 -- Ethics -- Passed second consideration and referred to the State and Local Government Committee.

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House Bill No. 2070 -- Age of Majority -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2071 -- Mental Illness -- Passed second consideration and referred to the General Welfare Committee.

House Bill No. 2072 -- Mental Retardation -- Passed second consideration and referred to the General Welfare Committee.

House Bill No. 2073 -- Auctions and Auctioneers -- Passed second consideration and referred to the Labor and Consumer Affairs Committee.

House Bill No. 2074 -- Alcoholic Beverages -- Passed second consideration and referred to the Commerce Committee.

***House Bill No. 2075 -- Drugs -- Passed second consideration and referred to the General Welfare Committee.**

***House Bill No. 2076 -- Holidays -- Passed second consideration and referred to the Government Operations Committee.**

House Bill No. 2077 -- Scholarships -- Passed second consideration and referred to the Education Committee.

House Bill No. 2078 -- Smoking -- Passed second consideration and referred to the General Welfare Committee.

House Bill No. 2079 -- Smoking -- Passed second consideration and referred to the General Welfare Committee.

House Bill No. 2080 -- Equalization Board -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2081 -- Assessors -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 2082 -- Taxes, Real Property -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2083 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 2084 -- Architects and Engineers -- Passed second consideration and referred to the State and Local Government Committee.**

House Bill No. 2085 -- Assessors -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2086 -- Health -- Passed second consideration and referred to the Labor and Consumer Affairs Committee.

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***House Bill No. 2087 -- Custody and Support -- Passed second consideration and referred to the General Welfare Committee.**

House Bill No. 2088 -- Economic and Community Development -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2089 -- Witnesses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2090 -- Driver Licenses -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 2091 -- Adoption -- Passed second consideration and referred to the General Welfare Committee.

House Bill No. 2092 -- Personal Property -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2093 -- Planning, Public -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2094 -- Taxes, Privilege -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 2095 -- Drugs -- Passed second consideration and referred to the Judiciary Committee.**

***House Bill No. 2096 -- Drugs -- Passed second consideration and referred to the Judiciary Committee.**

House Bill No. 2097 -- Drugs -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2098 -- Highways, Roads and Bridges -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 2099 -- Juries and Jurors -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2100 -- Pardons and Paroles -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2101 -- Probation -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2102 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2103 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

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House Bill No. 2104 -- Racing -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2105 -- Loudon -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
January 31, 1990**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1891, 2005, 2057 and 2105.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
January 31, 1990**

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, February 1, 1990: House Joint Resolution(s) No(s). 567, 569, 571, 572 and 573; House Bill(s) No(s). 1891, 2005, 2057 and 2105; also, Senate Joint Resolution(s) No(s). 432, 434 and 435.

PHILLIPS, Chairman.

**MESSAGE FROM THE SENATE
January 31, 1990**

MR. SPEAKER: I am directed to request the return of Senate Bill No. 578; for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

BILL RETURNED

There being no objection, Rep. Starnes asked that the Clerk be directed to return Senate Bill No. 578 to the Senate, as requested.

**ENGROSSED BILLS
January 31, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 574; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

January 31, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1553; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

January 31, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 574; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

January 31, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1658; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

January 31, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1937, 1979 and 2013; also, House Joint Resolution(s) No(s). 563, 564, 565 and 566; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

January 31, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1553 and 1658; also, House Joint Resolution(s) No(s). 574; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

January 31, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 417 and 420; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

January 31, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1642; also, House Joint Resolution(s) No(s). 31, 32, 51, 82, 87, 92, 147, 184, 230, 390, 528, 529, 530, 531 and 570; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

January 31, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1601, 1605, 1621 and 1627; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 1601 -- Human Services, Dept. of -- Establishes right of subrogation to recover certain Social Security benefits. Amends TCA, Title 71, Ch. 1, Pt. 1.

*Senate Bill No. 1605 -- Custody and Support -- Revises methods of enforcement of child support payments. Amends TCA 26-2-108, 26-2-216; Title 36, Chs. 4, 5, 50-6-223.

*Senate Bill No. 1621 -- Highways, Roads and Bridges -- Provides that Scenic Highway System Act of 1971 prevails over Tennessee Parkway System Act. Amends TCA, Title 54, Ch. 17.

*Senate Bill No. 1627 -- Safety -- Increases fees for electrical inspectors. Amends TCA 68-17-143.

ROLL CALL

The roll call was taken with the following results:

Present 98

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Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 98.

RECESS MOTION

Representative Naifeh moved that, pursuant to House Joint Resolution No. 519, the House recess to meet with the Senate in Joint Convention for the purpose of hearing the Governor's Budget Address; and further moved that, at the conclusion of the Joint Convention, the House adjourn until 9:00 a.m., Thursday, February 1, 1990.